

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF SOUTH CAROLINA
GREENVILLE DIVISION

TRACIE S. FINCHER,)
Plaintiff,)
v.) Civil Action No. 6:05-2410-CMC-WMC
JO ANNE B. BARNHART,)
Commissioner of Social Security,)
Defendant.)

ORDER

Defendant, Jo Anne B. Barnhart, Commissioner of Social Security (the Commissioner), by her undersigned attorneys, Jonathan S. Gasser, Acting United States Attorney for the District of South Carolina, and Christie V. Newman, Assistant United States Attorney for said district, has moved this Court, pursuant to sentence four of 42 U.S.C. § 405(g), to enter a judgment with an order of reversal with remand of the cause to her for further administrative proceedings.

On remand by the Court, this case will be remanded to an Administrative Law Judge to obtain Vocational Expert testimony to determine whether jobs existed Plaintiff could perform despite her nonexertional functional limitations, properly consider and articulate in his decision his consideration of the opinion of Plaintiff's consultative vocational analyst, and obtain Medical Expert testimony to establish the precise date Plaintiff's impairments became disabling, pursuant to relevant regulations and case law.

Pursuant to the power of this Court to enter a judgment affirming, modifying, or reversing the Commissioner's decision with remand in Social Security actions pursuant to sentence four of

42 U.S.C. § 405(g), and in light of the Commissioner's request for remand of this action for further proceedings, it is

ORDERED that the cause be reversed and remanded to the Commissioner for further administrative action pursuant to sentence four of 42 U.S.C. § 405(g), as set out above.

AND IT IS SO ORDERED.

s/ Cameron McGowan Currie
CAMERON MCGOWAN CURRIE
UNITED STATES DISTRICT JUDGE

Columbia, South Carolina
January 30, 2006